

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

| | | |
|------------------------------------|---|----------------------------|
| HOSEA J. HARALSON, |) | CASE NO. 1:04CV637 |
| |) | |
| Plaintiff, |) | JUDGE CHRISTOPHER A. BOYKO |
| |) | |
| vs. |) | |
| |) | |
| MID OHIO SECURITIES CORP., et al., |) | <u>ORDER</u> |
| |) | |
| Defendant. |) | |

Since Plaintiff has failed to show cause in writing why the parties, who are not signatories to the settlement agreement, have not been served nor default judgment sought against them, those parties are dismissed without prejudice for want of prosecution pursuant to Fed. R. Civ. P. 4(m) and Fed. R. Civ. P. 41(b).

The Court has been advised this action has settled among the remaining parties. Therefore, it is not necessary the action remain on the calendar of the Court.

IT IS ORDERED this action is closed. As to the signatories to the settlement agreement, it shall be marked settled and dismissed, with prejudice, each party to bear its own costs. The Court shall retain jurisdiction to (1) vacate this Order and reopen the action upon cause shown that settlement has not been completed and further litigation is necessary or (2) alter the terms of settlement and dismissal upon agreement of the parties.

IT IS SO ORDERED.

7/31/07
Date

Christopher A. Boyko
CHRISTOPHER A. BOYKO
United States District Judge

FILED

JUL 31 2007

CLERK OF COURTS
U.S. DISTRICT COURT, N.D.O.
CLEVELAND